

Exhibit 3

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1 Android phone, did you use that device for any
2 personal purposes?

3 A. I -- I used it a lot to play different
4 type of games.

5 Q. In terms of communicating, for example,
6 though, were you texting any -- any of your
7 friends or family through that device?

8 A. No. It was most -- it was just primarily
9 with Google colleagues.

10 Q. So in terms of Google colleagues, you
11 texted -- you used your Google-issued Android
12 device you text your -- for business, basically?

13 MR. BRADSHAW: Object to the form.

14 BY MS. MOSKOWITZ:

15 Q. What was your answer?

16 A. Oh, sorry. Yeah. So I used the Google
17 GChat.

18 Q. Okay. So pardon.

19 A. And e-mail.

20 Q. So just focusing on the phone, you had
21 Gmail on that phone, which you used for business;
22 is that right?

23 MR. BRADSHAW: Object to the form.

24 THE WITNESS: That is --

25 MR. BRADSHAW: Go -- go ahead, Lawrence.

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1 THE WITNESS: That is correct.

2 BY MS. MOSKOWITZ:

3 Q. And you had GChat on that Android phone
4 device?

5 MR. BRADSHAW: Object to the form.

6 THE WITNESS: That is correct.

7 BY MS. MOSKOWITZ:

8 Q. Did you also have access to SMS text
9 messaging on that device?

10 A. I -- I had access to it, but I rarely used
11 it because I could reach my Google colleagues
12 mostly through GChat, and I didn't know a lot of
13 their phone numbers.

14 Q. And in terms of your non-Google
15 colleagues, you also interacted with developers or
16 other individuals outside of Google for your
17 business; right?

18 MR. BRADSHAW: Object to the form.

19 THE WITNESS: Yes, I would interact with
20 developers outside of Google.

21 BY MS. MOSKOWITZ:

22 Q. And in terms of those interactions, did
23 you use texts, SMS texts, not Google Chat? Did
24 you use texts for any of those communications?

25 A. Not for discussing any business-specific

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1 business?

2 MR. BRADSHAW: Object to the form.

3 THE WITNESS: No.

4 BY MS. MOSKOWITZ:

5 Q. Is GChat the same as Google Hangout or is
6 it different?

7 A. It is the same. It just keeps getting
8 rebranded, so I've lost track of what it's called.

9 Q. And whether it was called Google Hangout
10 or -- or GChat, you could use that on your mobile
11 device and your desktop; is that right?

12 A. That is correct.

13 Q. And you did use GChat or Google Hangouts
14 routinely in the course of your business while you
15 were employed at Google?

16 MR. BRADSHAW: Object to the form.

17 THE WITNESS: Yes, I did.

18 BY MS. MOSKOWITZ:

19 Q. Have you -- are you one of the people who
20 sometimes refers to instant messages as pings?

21 A. I've used the word "ping." I don't recall
22 referencing messages as pings.

23 Q. Okay. So in terms of -- if someone said I
24 pinged --

25 A. Ah.

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1 Q. -- Purnima Kochikar, does -- did -- what
2 was your understanding as to what that would refer
3 to?

4 MR. BRADSHAW: Object to the form.

5 THE WITNESS: Oh, so I -- I've used it
6 under that context as I -- it's like, hey, I'm just
7 going to just let -- I've pinged Purnima meant --
8 and -- and I gave ping -- I -- I reached out, sent
9 a message, and provided some notification.
10 BY MS. MOSKOWITZ:

11 Q. So you're not -- you don't know whether
12 that generally referred to an instant message as
13 opposed to an e-mail?

14 A. I feel like I used it probably
15 interchangeably, just opening some communication
16 stream is how I used it.

17 Q. And in terms of your use of -- well, let
18 me -- withdrawn.

19 If -- if I use instant messages to
20 describe GChat or Google Hangouts, is that
21 consistent with your understanding as to what
22 those platforms are?

23 A. Yes.

24 Q. And in terms of your use of instant
25 messaging through those platforms, how frequently

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1 would you describe your use of -- of instant
2 messages; daily, less frequently? Can you give me
3 a sense of how often you used instant messaging
4 while at Google?

5 MR. BRADSHAW: Object to the form.

6 THE WITNESS: Everyone at Google used
7 it -- at least on my team, used it on a daily
8 basis.

9 BY MS. MOSKOWITZ:

10 Q. Are you aware of an option within that
11 Google Chat -- GChat or Google Hangouts platform
12 that allows you to preserve your message history
13 on that platform?

14 A. Yes, I am.

15 Q. Did you ever take advantage of that option
16 and preserve your message history on those
17 platforms?

18 A. I don't recall exactly what I set it to,
19 but I was aware of the option to do that.

20 Q. So you just don't recall, one way or the
21 other, which -- which box you checked, so to
22 speak?

23 A. That is correct.

24 Q. Do you recall ever copying and pasting any
25 of your chat back and forth for purposes of

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1 storing it in a Word document or otherwise?

2 MR. BRADSHAW: Object to the form.

3 THE WITNESS: I -- I don't recall, but I
4 would not be surprised if I had copied and pasted
5 chat messages into another document.

6 BY MS. MOSKOWITZ:

7 Q. And what about screenshots? Do you recall
8 ever using any screenshots to memorialize or
9 preserve any instant message history?

10 MR. BRADSHAW: Object to the form.

11 THE WITNESS: I -- I -- I was not really
12 into the practice of screenshotting chats.

13 BY MS. MOSKOWITZ:

14 Q. So you can't recall ever doing that?

15 A. No.

16 Q. Were you ever issued a litigation hold
17 notice during your time at Google?

18 A. Yes, I was.

19 Q. Do you recall on how many occasions?

20 A. The only one I can recall is the one
21 related to Epic.

22 Q. Do you recall when you received a
23 litigation hold notice in connection with Epic's
24 lawsuit against Google?

25 A. I recall it happening not too long before

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1 I resigned, so in that fall of 2020.

2 Q. And within the fall of 2020, do you have
3 any sense of whether it was September, October,
4 November?

5 A. I don't remember the specific date when I
6 received it.

7 Q. But to the best of your recollection, it
8 was shortly before you left in December of 2020?

9 A. That's correct. I do remember seeing that
10 e-mail coming through.

11 Q. Was that an e-mail directly to you or was
12 it to a number of individuals, if you recall?

13 A. I believe it was directly to me, from my
14 recollection.

15 Q. Do -- did you have any discussions --
16 don't tell me what you they were, but did you have
17 any discussions with anyone about the litigation
18 hold notice that you received?

19 A. The only discussion I recall was when --
20 on my -- in the steps I took to exit Google,
21 meeting with legal counsel about making sure they
22 had my laptop and the company-issued phone.

23 Q. So before you departed, let's set that
24 aside for a moment, and after you received the
25 notice, did you have any discussions with anyone

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1 about how to take whatever steps you needed to
2 take to ensure that you were compliant with that
3 litigation hold notice you received?

4 MR. BRADSHAW: Object to the form.

5 THE WITNESS: Yes, I -- I remember it
6 being spelled out in e-mail --

7 BY MS. MOSKOWITZ:

8 Q. Other than --

9 A. -- on what I need to do.

10 MR. BRADSHAW: Let -- Lauren, let him
11 finish.

12 MS. MOSKOWITZ: Yep.

13 BY MS. MOSKOWITZ:

14 Q. Other than the e-mail, did you have any
15 discussions with anyone?

16 MR. BRADSHAW: Object to the form.

17 THE WITNESS: Not that I recall.

18 BY MS. MOSKOWITZ:

19 Q. In terms of the steps that were outlined
20 in the e-mail, did it tell you in there to turn
21 off the auto delete function within GChat?

22 A. I -- I do recall being -- that being one
23 of the steps.

24 Q. Did you perform that step?

25 A. I do not recall if I performed that step.